HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

Writ Petition No.11978 of 2005

Dated: 26th September, 2005

Between:

C.Veeramani W/o. Balakrishna, Housewife,

R/o. H.No.11-2-500, Uppar Basthi,

Namalagundu, Secunderabad.

..... PETITIONER

AND

1. The Revenue Divisional Officer, Bhongir,

Nalgonda District and another.

.....RESPONDENTS

HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

Writ Petition No. 11978 of 2005

ORDER:

This writ petition has been filed by C.Veeramani assailing the action of the Revenue Divisional Officer, Bhongir, Nalgonda District-1st respondent and the Mandal Revenue Officer, Choutuppal Mandal, Nalgonda District-2nd respondent in not issuing pattadar passbook and title deed in her favour in respect of lands situated in Survey Nos.647/1 and 647/2 to an extent of Ac.32.12 guntas of Malkapuram village, Choutuppal Mandal, Nalgonda District.

2. The petitioner filed a suit O.S.No.48 of 1965 on the file of the III Additional Judge, City Civil Courts, Secunderabad, against Late Venkataswamy and others for partition of the properties, which ended in decree. The aggrieved parties filed two appeals CCCA No.118 of 1970 and CCCA No.46 of 1971 before the High Court. Ultimately, the said appeals came to be disposed of in pursuance of the compromise entered among the parties on 31.12.1971. In the said compromise decree, the petitioner got the lands admeasuring Ac.32.12 guntas in Survey Nos.647/1 and 647/2 to her share and thus, she is the absolute owner of the said lands. She filed appeals before the Land Reforms Appellate Tribunal for exclusion of lands allotted to her share from the holding of the declarants. Her appeals came to be allowed, remanding the matter back to the Land Reforms Tribunal, Bhongir, Nalgonda District. Ultimately, the land ceiling proceedings ended in her favour and the lands claimed by her came to be restored to her on 29.05.2004 in pursuance of the order of the Revenue Divisional Officer, Bhongir, Nalgonda District, dated 29.09.2003. After taking possession of the lands, she submitted an application to the Mandal Revenue Officer, Choutuppal, for grant of pattadar passbook and title deed. Since her application is not disposed of, she has chosen to approach this Court by invoking the jurisdiction under Article 226 of the Constitution of India, for the relief sought for supra.

3. Heard learned counsel appearing for the petitioner and learned Government Pleader for Revenue appearing for the respondents.

4. Learned counsel appearing for the petitioner submits that the petitioner got the lands in compromise decree passed in CCCA No.118 of 1970 and CCCA No.46 of 1971. He further submits that the proceedings under the Andhra Pradesh Land Reforms (CAH) Act, 1973, ended in her favour and possession came to be restored to her on 29.05.2005. Restoration proceedings have been placed on record.

5. It is no more in dispute that the petitioner has been in possession of the lands admeasuring Ac.32.12 guntas in Survey Nos.647/1 and 647/2. Such is the situation, there cannot be any impediment for the respondents to entertain the application of the petitioner for grant of pattadar passbook and title deed.

6. In that view of the matter, the writ petition is disposed of directing the petitioner to submit an application to the Mandal Revenue Officer, Choutuppal, under the provisions of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971, for grant of pattadar passbook and title deed and thereupon the Mandal Revenue Officer, Choutuppal, has to dispose of the said application in accordance with Law within two months.

7. Accordingly, the writ petition is disposed of. No costs.

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B.SESHASAYANA REDDY, J.

Dated: 26th September, 2005.

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